*No. D.* 4438—*J. S.* 32-36-12, *dated Bangalore,* 16—20*th December* 1937.

In exercise of the powers conferred on them by Section 71 (2) of the Mysore Partnership Act VI of 1936, the Government of His Highness the Maharaja are pleased to issue the following rules, the draft rules in the said behalf having been notified with Notification No. D. 2060—J. S. 32-36-6, dated 30th August—1st September 1937, and published at pages 221-230 of Part IV of the *Mysore Gazette*, dated the 9th September 1937.

## APPENDIX.

Any suggestions received after the due date shall not receive consideration.

## The Mysore Partnership (Registration of Firms) Rules, 1937.

Short title.

These rules may be called the "Mysore Partnership (Registration of Firms) Rules, 1937."

Definitions.

2. In these rules, unless there is anything repugnant in the subject or context.—

(*a*) The Regulation means the Mysore Partnership Regulation, 1936; and

(*b*) Registrar means the Registrar of Firms.

Form and verification of statements under Sections 58 and 60.

3. The statements submitted to the Registrar under Sections 58 and 60 of the Regulation shall respectively be in Forms I and II annexed to these rules and shal be verified in the manner indicated therein.

Form of intimations and notices under Sectons 61, 62 and 63.

4. Intimations and notices under Sections 61, 62 and 63 (2) of the Regulation shall respectively be in Forms III, IV, V and VI annexed to these rules with such variations as circumstances may require.

Register of Firms.

5. The Register of Firms shall be in Form A annexed to these rules. The name of and the particulars relating to each firm shall be entered therein in the order of its registration on a separate page or pages. Each firm shall be assigned a number in a consecutive series

commencing and ending with the calendar year. A note of every document filed shall be entered in the register in the page or pages allotted to the firm concerned and shall be signed by the Registrar.

Amendment of entries in Register.

6. When an entry made in the Register of Firms is to be amended, the amendment shall be shown by means of a suitable note in the remarks column opposite to the entry concerned, and the new entry shall be made at the end of the existing entry or entries with suitable cross references.

Protest against entries in Register.

7. Where any partner or other person interested makes a protest in writing to the Registrar disputing any entry made in the Register of Firms, the Registrar shall record such protest and make a reference thereto in red ink in the remarks column against the disputed entry.

The Registrar's powers of inquiry and investigation.

8. The Registrar may, in case of dispute, institute such inquiries or make such investigation as may, in his opinion, be necessary for the proper performance of his duties under the Regulation.

Index to Register of Firms.

9. (a) An index to the Register of Firms shall be prepared in English on loose sheets lettered alphabetically and shall contain the particulars shown in Form B annexed to these rules. A fresh index shall be prepared for each calendar year. The name of each firm shall be indexed as soon as the entries relating thereto are made in the Register of Firms.

(b) After all the firms registered in a year have been indexed, the index shall be checked by the Registrar who shall add a certificate in token of such check and the pages shall then be numbered in ink.

(c) The index for each year shall, after it has been checked, be bound into volumes of convenient size.

Acknowledgment of registration and documents.

10. (a) Upon the registration of a firm the Registrar shall grant to the firm an acknowledgment in Form C annexed to these rules and on the filing of any documents required to be filed under the Regulation, he shall grant to the person at whose instance it is filed an acknowledgment in Form D annexed to these rules.

(b) On every document filed under the Regulation, the Registrar shall endorse the following particulars, namely :—

(i) the number borne by the firm on the register,

(ii) the name of the firm,

(iii) the description of the document,
(iv) the serial number of the document, and
(v) the date of filing.

The Registrar shall also affix his signature and the seal of his office to such document.

(c) If there is no space on the document for entering the particulars referred to in sub-rule (b), the entry shall be made on a separate paper which shall be attached to the document and a note of the fact shall be made on the document itself and shall be signed by the Registrar.

Filing of documents.

11. (a) The Registrar shall examine every statement, intimation, notice or other document received by him which is required by the Regulation to be registered, recorded or filed; and if he finds any such statement, intimation, notice or other document to be defective or incomplete in any of the particulars required by the Regulation or these rules, he shall return it to the party or firm tendering it, for due rectification or completion; and until such statement, intimation, notice or other document is so rectified or completed, he shall not register, record or file the same.

(b) No statement, intimation, notice or other document in respect of which a fee is payable shall be registered, recorded or filed by the Registrar until the fee has been paid to him, and the Registrar shall, pending such payment, act as if no such statement, intimation, notice or other document has been tendered for registration, record or filing.

(c) A separate file shall be maintained in respect of each firm, in which all documents relating thereto received from time to time by the Registrar shall be filed.

Account and receipt for fees.

12. An account of all fees received in the Registrar's Office shall be maintained therein.

All fees payable under the Regulation shall be paid either in cash to a Government Treasury or by affixing Mysore Court Fee Stamps.

Inspection of original documents.

13. Any person interested in a firm may, on satisfying the Registrar of such interest and on payment of the prescribed fee, inspect the original document relating to the firm filed with the Registrar.

Application for copies to be in writing.

14. Every application for a copy under Section 67 of the Regulation shall be in writing.

Seal.

15. The seal used by the Registrar shall bear the words "Registrar of Firms, Mysore."

Preservation and elimination of Registers and Records.

16. (*a*) The Register of Firms and the index thereto shall be preserved permanently.

(*b*) All other records, including the statements referred to in Section 58 of the Regulation, may be destroyed.

(i) in the case of a firm which has been dissolved, on the expiry of five years from the date of its dissolution; and

(ii) in the case of a firm which, though not dissolved, has not been transacting business and has not been heard of for a period of not less than seven years, in accordance with and subject to the provisions of sub-rule (*c*).

(*c*) In cases falling under clause (ii) of sub-rule (*b*), the Registrar shall publish in the *Mysore Gazette* and at the same time send by registered post to each of the partners of the firm concerned to his last known address, a notice stating that the records and statements relating to the firm will be destroyed unless cause is shown to the contrary within a period of three months from the date of publication of the notice in the *Mysore Gazette*. If cause is not shown as aforesaid, the records and statements may be destroyed.

Translations to be furnished where original not in English or in Kannada.

17. If any document required to be filed under the Regulation or any portion of such document is not in the English or Kannada languages, an English translation of such document or portion, certified as correct by at least one partner (or his authorised agent) shall be furnished along with each copy of such document or portion.

Office hours.

18. The Office of the Registrar shall be open for business (Sundays and authorised holidays excepted) between the hours of 11 A.M. and 5 P.M.

Administration report.

19. The Registrar shall submit to Government so as to reach them on or before the 1st June in each year, a report on the working of the Regulation, during the year ending the 31st March preceding.

FORM No. I.

(*See Rule* 3.)

Filing fee Rs. 3.

The Mysore Partnership Regulation, 1936.

Application for registration of firm by the name*

Presented or forwarded to the Registrar of Firms for filing by

We, the undersigned being the partners of the firm hereby apply for registration of the said firm and for that purpose supply the following particulars in pursuance of Section 58 of the Mysore Partnership Regulation, 1936 :—

| | | |
|---|---|---|
| The firm name* | | |
| Places of business | (*a*) Principal place<br>(*b*) Other places | |
| Name of partners in full | Date of joining the firm | Permanent address in full |
| 1. | | |
| 2. | | |
| Duration of the firm | | |

Station

Date

Signature of the partners or their specially authorised agents.

I, son of years of age of religion, do hereby declare that the above statement is true and correct to the best of my knowledge and belief.

Date

Witnesses

Signature.

I, son of years of age of religion, do hereby declare that the above statement is true and correct to the best of my knowledge and belief.

Dated

Witness

Signature.

* Here enter name of firm.

If any partner is a minor the fact whether he is entitled to the benefits of partnership should be set out herein.

*N.B.*—This form must be signed by all partners or their agents specially authorised in this behalf in the presence of a witness or witnesses who must be either a Gazetted Officer, Advocate, Attorney, Pleader, Honorary Magistrate.

FORM No. II.

(*See Rule* 3.)

Filing fee Re. 1.

The Mysore Partnership Regulation, 1936.

Statement of alteration in the name of the firm or in the location of the principal place of business. Presented or forwarded to the Registrar of firms for filing by

We, the undersigned, being the partners of the firm* hereby supply the following particulars in pursuance of Section 60 (1) of the Mysore Partnership Regulation, 1936 :—

Name of Firm.

| Previous name | New name |
|---|---|
| | |

Principal place of business.

| Previous place | New place |
|---|---|
| | |

Station

Date

Signature of the partners or their specially authorised agents.

I, son of years of age of religion, do hereby declare that the above statement is true and correct to the best of my knowledge and belief.

Date

Witness

Signature.

I, son of years of age of religion, do hereby declare that the above statement is true and correct to the best of my knowledge and belief.

Dated

Witnesses

Signature.

* Here enter the name of the firm.
*N.B.*—Strike out item not required.

FORM No. III.

(*See Rule* 4.)

Filing fee Re. 1.

The Mysore Partnership Regulation, 1936.

Intimation of change in the place of business (other than principal place of business).

Presented or forwarded by the Registrar of Firms for filing by

Under Section 61 of the Mysore Partnership Regulation, 1936, intimation is herby given that the change specified below has occurred in the place of business of the firm *

Date of change.

(1) The firm has discontinued business at

(2) The firm has begun to carry on business at

Station

Date

Signature of any partner or agent of the firm.

* Here enter name of firm.
N. B.—Strike out items not required.

FORM No. IV.

(*See Rule* 4.)

Filing fee Re. 1.

The Mysore Partnership Regulation, 1936.

Intimation of alteration in the name or permanent address of partner.

Presented or forwarded to the Registrar of Firms for filing by

Under Section 62 of the Mysore Partnership Regulation, 1936, intimation is hereby given that the change specified below has occurred in the name of permanent address of partner in the firm *

Name of Partner.

| Previous name (in full) | New name (in full) |
|---|---|

Name of Partner.

| Previous permanent address (in full) | Present permanent address (in full) |
|---|---|

Station

Date

Signature of any partner or agent of the firm.

* Here enter name of firm.
N. B.—Strike out item not required.

FORM No. V.

(*See Rule* 4.)

Filing fee Re. 1.

The Mysore Partnership Regulation, 1936.

Notice of change in the constitution of the firm or of the dissolution of the firm.

Presented or forwarded to the Registrar of firms for filing by

Under Section 63 (1) of the Mysore Partnership Regulation, 1936, notice is hereby given that—

(1) The constitution of the firm* has been altered as follows :—

| Name and full address of the in-coming partner and date of his joining the firm | Name and full address of the out-going partner and date of ceasing to be partner |
|---|---|
| | |

Station
Date

Signature of the in-coming continuing, or the out-going partner or of his specially authorised agent.

(2) The firm* has been dissolved with effect from the

Station
Date

Signature of the person who was a partner immediately before the dissolution or of his specially authorised agent.

* Here enter name of the firm.
N. B.—Strike out item not required.

FORM No. VI.

(*See Rule* 4.)

Filing fee Re. 1.

The Mysore Partnership Regulation, 1936.

Notice of election by person admitted to the benefit of partnership on attaining majority.

Presented or forwarded to the Registrar of Firms for filing by

Under Section 63 (2) of the Mysore Partnership Regulation, 1936, notice is hereby given that admitted to the benefit of partnership in the firm* having now attained majority $\frac{\text{elects to become}}{\text{elects not to become}}$ a partner of the said firm.

Station
Date

Signature of the person electing or of his specially authorised agent.

* Here enter name of firm.

## FORM A.

(*See Rule* 5.)

### Register of Firms.

(Maintained under Section 59 of the Mysore Partnership Regulation, 1936.)

1. Serial Number of Firm.
2. Name of Firm.
3. Date of registration.
4. Duration of the Firm.
5. Address

| Date of change | Remarks | 6. Partners | | | | | 7. Principal place of business and changes therein | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Name of the partners | Address | Date of Joining | Date of Ceasing | Remarks | Particulars regarding the place | Date of change | Remarks |
| | | | | | | | | | |

| 8. Other places of business | | | | Name of Firm | | | | Name of Firm | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Name of place | Date of Opening | Date of Ceasing | Remarks | Serial No. of the document | Description of document | Date of filing | Signature of Registrar | Serial No. of the document | Description of document | Date of filing | Signature of the Registrar |
| | | | | | | | | | | | |

## FORM B.

(*See Rule* 9.)

### Index to the Register of Firms.

193

| Firm name | Name of partners | Principal place of business | Volume No. | 1st page of entry | Number borne on the register |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

FORM C.

[*See Rule 10* (a).]

ACKNOWLEDGMENT OF REGISTRATION OF FIRM.

The Registrar of Firms, Mysore, hereby acknowledges the receipt of the statement prescribed by Section 58 (1) of the Mysore Partnership Regulation, 1936. The statement has been filed and the name of the firm * has been entered in the Register of Firms.

as No. of 193 .

Seal

Bangalore City, dated the

day of 193 . *Registrar of Firms.*

* Here enter name of firm.

FORM D.

[*See Rule* 10 (a).]

MEMORANDUM ACKNOWLEDGING RECEIPT OF DOCUMENTS.

The Registrar of Firms, Mysore, hereby acknowledges the receipt of the undermentioned document/documents and intimates that it has/they have been filed in pursuance of the Mysore Partnership Regulation, 1936.

Here enter description of document/documents.

Bangalore City.

Dated 193 .

To

Mr./Messrs. *Registrar of Firms.*

By Order,

M. VENKATANARANAPPA,

*Secretary to Government,*

*Development Department.*

Printed by the Superintendent at the Government Press, Bangalore.